



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE, SUITE 3000
WASHINGTON NAVY YARD DC 20374-5066

5720
Ser 13/3FA1163.17
November 14, 2017

VIA FOIAonline

Dear Mr. Gillan:

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST
DON-NAVY-2018-000871

This responds to your FOIA request of October 30, 2017, received October 31, 2017, which has been assigned tracking number DON-NAVY-2018-000871. You seek copies of all available professional responsibility case records for which Judge Advocate Conor Lamb is associated from May 1, 2009 to December 31, 2013. You also seek any professional responsibility case records identifiable by the name Conor Lamb from May 1, 2009 to December 31, 2013. Your requests include a request for transcripts of said cases and any and all other documents associated with said cases with which Conor Lamb was associated.

Your request was processed in accordance with the FOIA (5 U.S.C. § 552), Privacy Act (PA) (5 U.S.C. § 552a), Part 701 of Title 32 of the Code of Federal Regulations, the Department of the Navy FOIA Program (SECNAVINST 5720.42F), and the Department of the Navy PA Program (SECNAVINST 5211.5E).

I can neither confirm nor deny the existence of records responding to this request (known as the "Glomar" response). "Glomar" responses are appropriate when requestors seek specific records contained in a system of records subject to the Privacy Act¹ that might reveal to the public whether an individual government employee was investigated for misconduct or disciplined. Even to acknowledge the existence of such records would typically cause an unwarranted invasion of personal privacy not outweighed by any FOIA public interest.²

For any further assistance and to discuss any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison at DONFOIAPublicLiaison@navy.mil. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government

¹ Professional responsibility case records are PA records. See SORN N05800-2.

² See generally *DOJ Guide to the FOIA*, Exemption 6 at 85-86 (numerous citations).

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Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

I am the official responsible for the denial of your request. You may appeal an adverse determination, in writing, to the Office of the Judge Advocate General (Code 14), 1322 Patterson Avenue, SE, Suite 3000, Washington Navy Yard, DC 20374-5066. If you appeal this matter, I recommend your envelope and statement bear the notation "FOIA Appeal." Your appeal must be postmarked within 90 days of the date of this letter. No fees were generated by this request.

If you have any questions, please contact LCDR Emilee Baldini, JAGC, USN, who may be reached at emilee.k.baldini@navy.mil or by phone at 703-614-7408.



E. M. LOSER
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Deputy Assistant Judge Advocate General
(Administrative Law)